

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Elizabeth Salazar et al., individually and on  
behalf of all others similarly situated,

Plaintiffs,

- against -

The Procter & Gamble Company,

Defendant

Case No. 1:22-cv-05036

Hon. M. David Weisman

**JOINT STATUS REPORT**

The parties submit the following Joint Status Report pursuant to the Court's April 22, 2024 Minute Entry. ECF No. 50.

**I. The May 31, 2024 Status Hearing**

In light of the developments reported below, including the stipulated dismissal of this case, the parties do not believe a status hearing is necessary.

**II. Non-Participation of Current Plaintiffs**

Plaintiffs' counsel has advised that the Plaintiffs Salazar and Fletcher do not wish to continue as named plaintiffs in this action. For that reason, their contemplated depositions have not occurred and neither of them provided certain supplemental responses to written discovery that counsel for Defendant was seeking prior to the depositions. Plaintiffs' counsel has indicated the existence of a new plaintiff, and a new complaint was filed on May 28, 2024, styled *Christy Borovoy v. The Procter & Gamble Company*, 1:24-cv-04366 (N.D. Ill). Plaintiff Borovoy indicated on the civil cover sheet that this new complaint is related to this matter. Defendant's position is that because allegations of the new plaintiff are qualitatively different than the current complaint, and because Plaintiffs Salazar and Fletcher were themselves replacements for the original plaintiff

who already declined to proceed with the case, dismissal of this case is appropriate and any claims of the new plaintiff should proceed in a new complaint. Based on Defendant's position, Plaintiffs Salazar and Fletcher agree to voluntarily dismiss their case without prejudice, and the parties intend to file a stipulation of dismissal under Fed. R. Civ. 41 (1)(A)(ii). The parties also anticipate entering into a stipulation in the *Borovoy* case that, without prejudice to any other substantive or procedural right, discovery produced to date by Defendant in this case will be deemed produced in the *Borovoy* case.

### **III. Status of Depositions**

No depositions of Plaintiffs were scheduled or occurred. Defendant responded to the Rule 30(b)(6) notice to Defendant on May 24, 2024 with respect to individual topics but also objected generally that no deposition of Defendant should take place unless and until there is an active plaintiff asserting claims and P&G has had the opportunity to conduct written discovery and a deposition regarding that plaintiff's allegations. Based on the intended dismissal of this case, the parties will confer regarding a schedule in the *Borovoy* case, including in accordance with any case management orders in that case.

Dated: May 29, 2024

/s/Scott A. Kane

Scott A. Kane

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Respectfully submitted,

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